

cover plate.

38. (New) A cover in accordance with claim A, wherein:

said louver guide is movably connected to said cover plate in said second direction by a bracket.

REMARKS

Claims 18 - 33, and 35 - 38 are in this application and are presented for consideration. Claims 18, 21, 32 and 33 have been amended, and new claims 35 - 38 have been added. The drawings, specification and claims, have been amended to improve the style of this application.

In particular, new claim 35 has been added which is a combination of claims 18 and 32. The Examiner has indicated that such a combination is allowable over the prior art. It is Applicant's position that new claim 35 is therefore in condition for allowance. Applicant thanks the Examiner for indicating allowable subject matter.

The rejection objects to the drawings as failing to show the kinematics in claim 1. Applicant has amended Figure 4 to show that the selection lever 8 is connected to kinematics which is then connected to the transmission. Applicant notes that the kinematics between the selection lever and the transmission can take many different forms, such as shift linkages, "Bowden controls", cables or electronic shift-by-wire. Such kinematics are well known to a person of ordinary skill in the art of vehicle transmissions, and it is Applicant's position that such a person would need no further description of the kinematics to make and use the present

invention.

The rejection also indicates that the drawings fail to show the plurality of parts as set forth in claim 28. Claim 28 describes a louver with a plurality of parts, and these parts are shown in the drawings by reference numerals 2.1, 2.2, 2.3, and new element 12 added by this Amendment. It is Applicant's position that the drawings therefore show a louver with a plurality of parts.

The rejection also states that the two openings in claim 30 are not shown in the drawings. Applicant notes that one of the openings in the louver is shown by reference numeral 2.4 in Figure 6 and is described in the specification on page 9 line 14. The other opening in the louver is the opening between elements 2.3 and 2.2. This opening has elements 2.3 and 2.2 on one of the opposite sides, and the element 2.1 is on the other opposite sides of the opening. Therefore the drawings show two openings in the louver.

With this Amendment Applicant is submitting a 1449 form listing the references described in the specification and cited in the International Search Report of Applicant's PCT Application. Applicant is also submitting additional references which have come to Applicant's attention.

Original independent claim 18 has been rejected as being anticipated by Andronis.

Claim 18 has been amended to set forth a cover plate and the louver guide being movable in relation to the cover plate at right angles to the direction of movement of the louver with respect to the louver guide. Applicant has reviewed Andronis, and finds no teaching nor suggestion of a movable louver being an endless band forming a closed loop, where the cover

plate and the louver guide are movable in relation to the cover plate at right angles to the direction of movement of the louver.

The rejection equates element 4 of Andronis with the movable louver of the present application. However, Applicant notes that element 4 of Andronis is not an endless band forming a closed loop. In Figure 1 of Andronis, element 4 is shown as a square sheet-like element. The rejection further refers to Figure 4 of Andronis to show a closed loop. Applicant notes that Figure 4 of Andronis is a separate embodiment from Figure 1. Applicant finds no indication that element 4 from Figure 1 in Andronis would be beneficial in the embodiment of Figure 4, or that any louver in Figure 4 of Andronis would be beneficial in Figure 1. Therefore there is no incentive to substitute louvers between Figures 1 and 4.

Applicant further notes that there is no indication that even if such a louver substitution was suggested, that the substitution would have a reasonable expectation of success. Applicant notes that the shapes and curves in Figures 1 and 4 are quite different, and substituting any louvers would cause problems.

The rejection of claim 34 states that Andronis has a cover plate 2 and the louver guide is movable in relation to the cover plate 2. Applicant notes that the louver guide of the present invention has been equated with elements 39 - 42 of Andronis. Elements 39 - 42 of Andronis are part of the Figure 4 embodiment. Applicant notes that elements 39 - 42 are designed to work with element 44. Applicant finds no indication that elements 39 - 42 and element 44 of Figure 4 in Andronis are suggested as being combinable with Figure 1. As described above, combining these elements would cause problems, especially because of the shapes and curves

of the different embodiments. Therefore Andronis does not show the relationship between a movable louver being an endless band forming a closed loop, and a louver guide being movable in relation to a cover plate at right angles to a direction of movement of the louver. Since this relationship is not present in Andronis, Andronis cannot anticipate all of the features of amended independent claim 18.

Furthermore, Applicant finds no indication that combining the embodiments of Figures 1 and 4 of Andronis would have a reasonable expectation of success. Therefore the present invention, as set forth in claim 18, is not obvious in view of Andronis.

Applicant has reviewed Andronis, and finds no teaching nor suggestion to move a louver formed as an endless band with respect to a cover plate, at right angles to the direction of movement of the louver. Claim 18 therefore defines over Andronis.

Applicant notes that new claim 36 also sets forth the relationship between the cover plate, the louver guide and the louver as set forth in claim 18, which defines over Andronis. Claim 36 therefore also defines over Andronis.

Claim 18 has been rejected as being anticipated by Hildebrand.

Applicant has reviewed Hildebrand, and also finds no indication in Hildebrand of a louver guide movably connected to a cover plate in a direction which is substantially perpendicular to a direction of a louver on the louver guide. The rejection equates element 2 of Hildebrand with the louver of the present invention. Elements 10 and 10' of Hildebrand are equated with the louver guide of the present invention. In the rejection of claim 34, the rejection equates element 6 of Hildebrand with the cover plate of the present invention.

Applicant has reviewed Hildebrand, and finds no teaching nor suggestion of elements 10 and 10' being movable in relation to element 6 at right angles to a direction of movement at element 2. Applicant notes that in Figure 4 of Hildebrand, element 2 moves right and left as shown by the double arrows. Applicant finds no teaching nor suggestion that elements 10 and 10' are movable with respect to element 6 at a direction that is perpendicular to the right and left direction in Figure 4. In fact it appears from Hildebrand that elements 10 and 10' are in a fixed relationship with element 6. Applicant finds no incentive in the prior art which would lead a person of ordinary skill in the art to move elements 10 and 10' perpendicular to the movement of element 2. If Applicant has misinterpreted Hildebrand, or has missed portions where this motion is discussed, the Examiner is invited to contact Applicant's representative by telephone to further discuss where these features are described in Hildebrand.

New claims 37 - 38 further set forth features of the movement of the louver guide with respect to the cover plate. Since neither Andronis or Hildebrand discuss such movement, both of these references cannot describe the further features of claims 37 and 38. Claims 37 and 38 therefore further define over the prior art.

DE 197 28 548 A1 has been cited in the corresponding German Examination Procedure. This reference is already of record.

DE 44 45 925 C1 has also been cited in the German Examination Procedure. This reference discloses an aperture closure member for a slotted housing of an automatic transmission shift lever console. A Venetian blind type movable structure is provided within a guide. No translation of the reference is available to Applicant at this time. However,

Applicant submits herewith an English language abstract.

DE 197 28 548 A has been cited under Category X as to International claims 1 - 4, and 7 in the International Search Report. The Category X designation indicates that the reference is considered to be relevant taken alone. Column 6 line 42 - line 67 and claims 7, 8 as well as Figures 4 - 7 are stated to be particularly relevant. As indicated, this reference is already of record.

DE 86 34 022 has been cited under Category X as to International claim 17. Claim 1 and Figures 1 and 2 are stated to be relevant. The reference discloses a shift console with a paneled or blind type structure. No translation of this reference is available to Applicant at this time. It is further noted that the references cited as technological background as to International claims 11 and 12.

DE 36 33 688 A has been cited under Category A as to International claims 1 and 15. Figures 2 and 4 are stated to be relevant. The reference discloses a control device for heating and air-conditioning and ventilation installations in motor vehicles. An actuating lever is provided connected to a flexible plastic band which covers the slot and is mounted displaceably. No translation of this reference is available to Applicant at this time. However, an English language abstract is attached.

U.S. 4,566,399 is cited as technological background. The abstract and Figure 4 are stated to be relevant. This reference discloses a slider control.

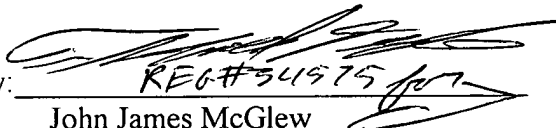
DE 44 45 925 has been cited as technological background. The whole document is stated to be relevant. This reference is discussed above.

Consideration of the references is requested.

Applicant again thanks the Examiner for indicating allowable subject matter. If the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone to discuss possible changes.

At this time Applicant respectfully requests reconsideration of this application, and based on the above amendments and remarks, respectfully solicits allowance of this application.

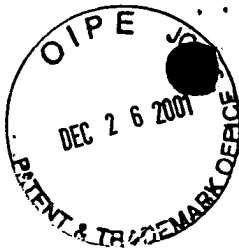
Respectfully submitted
for Applicant,

By: 
REG # 54575
John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

JJM/TD:tf
67526.7

Enclosed: Marked-Up Paragraphs from the Specification
Marked-Up Version of the Claims
Check for \$180.00
PTO-1449 Form
copies of (5) References
copy of International Search Report
Letter Re Drawing Corrections
(3) Sheets of Drawings

DATED: December 26, 2001
SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827
(914) 941-5600



SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, NO.: EL346229739US

McGLEW AND TUTTLE, P.C.
SCARBOROUGH STATION, SCARBOROUGH, NY 10510-0827

BY: *Jonathan Forte* DATE: December 26, 2001

RECEIVED
JAN 07 2002
GROUP 3600

01. DEC 26 2001 SC105 PATENT & TRADEMARK OFFICE

MARKED-UP PARAGRAPHS FROM THE SPECIFICATION

Page 6, paragraph at line 13:

Figure 4—— is a longitudinal sectional view, along plane IV-IV in Figure 5, of the slot cover with cover plate;

Pages 6 and 7, paragraph starting on page 6 at line 18 and ending on page 7 at line 15:

Referring to the drawings in particular, Figures 1, 2 and 3 show different views of the slot cover according to the present invention. Figure 1 shows a bottom view of the slot cover. The slot cover comprises a support structure 5, which comprises a central plate 5.3 arranged in the middle of the support structure 5 and two supports 5.1 and 5.2 arranged to the side of ~~the support structure 5~~. A generous opening 5.4 is provided in the central plate 5.3. Two deflecting elements, which are arranged at the outer ends of the support structure 5 and are formed by two broad deflecting rollers 3.1 and 3.2, at the ends of which two gears 3.3 and 3.4 as well as 3.5 and 3.6 are arranged, ~~are arranged at the outer ends of the support structure 5~~. The broad deflecting rollers 3.1 and 3.2 are mounted rotatably at the ends of the respective lateral supports 5.1 and 5.2. Furthermore, four narrow deflecting rollers 4.1 through 4.4, which form a rectangle with one another with two deflection axes, are located in the central area of the supports 5.1 and 5.2. The narrow deflecting rollers 4.1 through 4.4 are also mounted rotatably in the lateral supports 5.1 and 5.2. The louver 2, which forms an endless band, is guided around the deflecting rollers, and part of this endless band consists of a broad band 2.1 and the other part of two narrow bands 2.2 and 2.3, respectively, which pass over with their ends into the ends of the broad band. An opening is provided for the selector lever in the area of the broad band 2.1, and the two narrow bands 2.2 and 2.3 themselves form an opening through which a selector lever can be passed. The lower 2 can include an elastic portion 12, having elastic properties, at least in the circumferential direction of the closed loop, the elastic louver portion being provided over at least a part of a length of the louver.

RECEIVED

JAN 07 2002

GROUP 3600

Pages 7 and 8, paragraphs starting on page 7 at line 16 and ending on page 8 at line 9:

The guiding of the band can be recognized especially clearly from Figure 2, which shows a side view of the slot cover. The band is guided such that the louver 2 surrounds the two broad deflecting rollers 3.1 and 3.2 on the end side and rolls on the gears 3.3 through 3.6 arranged on the broad deflecting rollers. The narrow deflecting rollers 4.1 through 4.4 are arranged outside the circumference of the band, and the small deflecting rollers 4.1 through 4.4 are pressed into the loop of the louver 2 and thus ensure a corresponding tension of the louver. On their edges, the deflecting rollers 4.1 through 4.4 have beads 9, which prevent the narrow bands 2.2 and 2.3 from

breaking out. The division of the louver 2 in the area of the broad band 2.1 and in the area of the narrow bands 2.2 and 2.3 is designed such that the narrow deflecting rollers 4.1 through 4.4 come into contact only with the narrow bands 2.2 and 2.3 during a movement of the selector lever.

An additional guiding of the louver 2 is achieved by means of the lateral supports 5.1 and 5.2, which are curved on their top side and form a curvature, over which the louver 2 can slide. In addition, part of the central plate 5.3 is adapted to the curvature of the lateral supports 5.1 and 5.2, so that an improvement of the guiding of the louver is also achieved. Further guiding being provided by slide rails 11 which are laterally engaged by the louver 2. An especially reliable guiding is guaranteed by this embodiment.

Pages 9 and 10, paragraph starting on page 9 at line 17 and ending on page 10 at line 5:

Figure 7 shows a bottom view of a cover plate 6, under which the slot cover 1 according to the present invention is arranged. The selector lever 8 - fixed in a sideways pivoted position - is indicated by broken line here as well, in which case the slot cover 1 has also been displaced in relation to the cover plate 6. The displaceability of the slot cover 1 in relation to the cover plate 6 may be achieved, e.g., by the support structure 5 itself being fastened on the shifting device or on the slot cover 1 with a bracket 15, which allows a lateral movement of the slot cover. It would be possible, e.g., to clip the slot cover 1 with the axes of the broad deflecting rollers 3.1 and 3.2 in a clamp on the narrow sides, where the said clamps are substantially narrower in their broad extension than the length of the broad deflecting rollers, so that the entire slot cover 1 can be moved on it from right to left.

MARKED-UP VERSION OF THE CLAIMS

18. (Amended) A motor vehicle transmission shifting device slot cover, the shifting device having a selector lever and kinematics for transmitting the selection movements to ~~the~~a transmission and at least one shift gate, the slot cover comprising:

a movable louver which covers the at least one shift gate, said louver having at least one opening for the passage of the selector lever, said louver being an endless band forming a closed loop;

a louver guide for guiding the movable louver;

a cover plate, said louver guide being moveable in relation to said cover plate at right angles to the direction of movement of the louver with respect to said louver guide.

21. (Amended) A slot cover in accordance with claim 20, wherein said at least one said deflecting element is one of a pulley having a deflecting axis ~~or~~and a deflecting shaft.

32. (Amended) A slot cover in accordance with claim 18, further comprising:
signal transmitters;

signal receivers, signals of said signal transmitters being detected by signal receivers arranged at spaced locations from ~~them~~said signal transmitters, arranged on the deflecting elements for detecting the shift positions of the selector lever.

33. (Amended) A slot cover in accordance with claim 32, wherein signal transmitters include permanent magnets and said signal receivers are hall sensors, shift positions being detected by means of said Hall sensors and permanent magnets associated with ~~them~~said signal transmitters, wherein a pair of measured values is correspondingly assigned to each shift position.